

**CSCE HEARING:
HUMAN RIGHTS IN PUTIN'S RUSSIA – MAY 20, 2004**

**THREE DOCUMENTS SUBMITTED FOR THE RECORD BY
GARRY KASPAROV, CHAIRMAN OF COMMITTEE 2008: FREE
CHOICE**

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KASPAROV**

**I. WRITTEN STATEMENT TO THE CSCE (UNITED STATES
HELSINKI COMMISSION) BY GARRY KASPAROV, CHAIRMAN
OF COMMITTEE 2008: FREE CHOICE**

The four years of the Putin administration have been a disaster for human rights and democracy in Russia and the future does not look bright. I submit below a sampling of the regime's assault on democratic institutions and its effects.

1. The media, particularly television, is back under the Kremlin's control, much as it was in the days of the USSR. This power was used to heavily influence the recent parliamentary elections.

- 1.1. Any media outlet not sufficiently helpful to the administration has had its management and key staff replaced by people loyal to President Putin and his allies. All of the major television networks are directly or indirectly under the control of the administration. The networks now uniformly back the president and members of his United Russia party and give no coverage to opposition members or issues.
- 1.2. During recent elections the networks lauded the president and members of his party and criticized candidates from other parties. As OSCE/ODIHR observers of the December 2003 parliamentary elections stated in their report, "every [media] outlet was attacking all the opposition parties."
- 1.3. Topics deemed unfavorable to the administration are virtually banned from discussion in the media. The war in Chechnya is hardly ever mentioned other than to demonize the resistance. After seeing their colleagues pressured or replaced, few journalists dare mention the war at all, creating an atmosphere of self-censorship in which many crucial topics are taboo.
 - 1.3.1. At a May 18, 2004 press conference held by the reform group Committee 2008: Free Choice, not a single question was asked about Chechnya, even though it was one of the main topics of the press conference.
- 1.4. One of the few remaining independent voices, the print publication Novaya Gazeta, recently documented the horrors of the Russian Chernokozovo concentration camp in Chechnya. Nothing appeared in the mainstream press at all. Novaya Gazeta itself has been under frequent legal attacks by friends of the current administration.

- 1.5. The Russian news agency Interfax recently decided, for the first time, not to carry a statement from a prominent member of the opposition, Boris Nemtsov.
2. **All power is being centralized in the executive. Putin loyalists of the United Russia party, who rubber-stamp the Kremlin's directives, dominate parliament. The judicial branch is used to persecute Putin's opposition and reward allies.**
 - 2.1. In every aspect political power in Russia is being centralized under Putin's executive branch. The few remaining checks and balances are made worthless by the domination of the United Russia party in parliament, a party that was created solely to support Putin.
 - 2.2. The December 2003 parliamentary elections were rife with irregularities and outright fraud in favor of those loyal to the president. Opposition parties are still protesting the results of many races. In many cases union and academic leaders were pressured to threaten their members with penalties if they did not go out to vote.
 - 2.3. The justice system is being used as a weapon against those who speak out against Putin or interfere with his interests. Judges routinely provide verdicts favorable to the administration when all evidence points to the contrary. Defendants' rights and legal protocol are flagrantly violated in these persecutions.
 - 2.3.1. Two years ago four Russian Special Forces officers opened fire on a vehicle carrying six civilians on a road in southern Chechnya. They killed the driver, and then realized they had netted not a carload of terrorists, but several local teachers, a farmer, and a mother of seven children. To cover up their blunder, the commandos executed all five survivors, poured gasoline on the car, and set it on fire to pretend that it had hit a landmine.
 - 2.3.1.1. These soldiers were acquitted despite the fact that the military did not deny the events. Not only were the soldiers pronounced not guilty, seven of the twelve jurors applauded them. This was only the second trial of its kind in a decade of conflict. There were no Chechens on the jury.

This was a product of the xenophobic fascism being propagated in Russia today. The state-controlled media is waging a constant propaganda campaign. The captain in charge of the operation is now demanding compensation from the state for the time he spent in prison awaiting the verdict.

- 2.3.2. A legal case that has received more publicity is the incarceration of businessman Mikhail Khodorkovsky, who has yet to reach trial. The irregularities and outright abuses that the state prosecutors have committed are endless.
 - 2.3.2.1. Not a single request by Khodorkovsky's lawyers has been accommodated. Meanwhile, not one request by the prosecution has been denied.
 - 2.3.2.2. Khodorkovsky's lawyers were searched and their papers submitted as evidence. State prosecutors have videotaped meetings between the lawyers and their client.
 - 2.3.2.3. Plans to divide Khodorkovsky's business empire are already being made. It will be distributed among those loyal to Putin and his ex-KGB loyalists.
 - 2.3.2.4. Before his arrest Khodorkovsky was attempting to transform the energy giant YUKOS into a modern international corporation. Khodorkovsky made his political opinions known and spent millions of dollars on educational and charitable initiatives in Russia. Now he is in prison. He did not want state favors and could not be blackmailed by the Kremlin. If you are free of the system you can expose it and ruin it for everyone. He wanted to be loyal to the law, not the ruler, and for this he is in jail.
- 2.3.3. Russian researcher Igor Sutyagin was arrested in 1999 for selling information to a British company. In April 2004, he was sentenced to 15 years in prison for espionage, even though it had been shown that he had no access to secret material and that the information he gave was publicly available. He never denied providing the information.
 - 2.3.3.1. The judge told the jury that the defendant "had supplied western citizens with information and been paid for it," and this was enough for them to provide the conviction the KGB (now the FSB) desperately wanted.
 - 2.3.3.2. Sutyagin's arrest and prosecution were part of Putin's personal campaign against "western spies." Conviction rates in such politically charged cases have been much higher than in other cases.
- 2.3.4. Political scientist Lev Pavlovsky wrote an article warning of a law and order takeover at the top level of the government. In it he named oligarch Sergey Pugachev, a Putin ally, as one of those involved. Pugachev, now a senator, went to court asking for a million dollars for "moral suffering." He won the case, sending another strong message to the administration's critics.

3. The illegal war in Chechnya is a catastrophe for all sides and a tragedy for human rights.

- 3.1. The Commission is well aware of the ongoing tragedy in Chechnya as presented here on April 24, 2003, and as mentioned in your release of February 10, 2004.
- 3.2. The Russian army is being used illegally on Russian territory without a declaration of war or martial law. These are conscripted forces. Chechnya has become an outlaw territory and the officials and soldiers feel no obligation to respect the rules of law or war. They are killing people in their homes with military weapons and systematically wiping out entire towns.
- 3.3. The subjugation of Chechnya is not a war on terrorism. It is an illegal military occupation with a very long history of regional violence. The terrorism came much later, with the arrival of President Putin in 2000, which should not be considered a coincidence.
 - 3.3.1. The investigation into the Moscow bombings of 1999-2000 has yet to be made public. In America the 9/11 commission has Bush and every other relevant party testifying. In Russia there has not been a single hearing and all the victims' families' requests for information have been denied. The Chechen rebels have continued to deny responsibility for the bombings.
- 3.4. Dozens of Russian soldiers and many more Chechen civilians are dying every week. Now that Putin has squeezed all the political capital out of the conflict, it has been officially cleansed from the airwaves. Russian jets recently bombed a village where terrorists may have stayed. They killed only a pregnant woman and four of her children. Facts like these must be gleaned from the internet and the few remaining papers; they cannot be found on television.
 - 3.4.1. Before this state media takeover, images from the disaster in Chechnya were seen by all Russians and this created pressure for the military to withdraw. With that obstacle removed things have deteriorated dramatically.

The world is currently transfixed by the abuse of Iraqi prisoners, but at least the problem is being addressed and court-martial proceedings are already underway in at least one case. Much worse crimes in Chechnya are receiving very little attention and get no action from the courts. With all of the TV stations and most of the media obedient to the Kremlin, there is no "60 Minutes" to expose these horrors.

4. Democratic institutions are being weakened or destroyed. Human rights are under attack.

- 4.1. The Putin administration is moving Russia toward a complete autocracy. Already the central bastions of free press, fair elections, and an unbiased judicial system have been nearly eradicated. Without western attention and pressure, the situation will only worsen during Putin's next four years.

Garry Kasparov
Chairman, Committee 2008: Free Choice
World Chess Champion, 1985-2000

II. Declaration of Committee 2008: Free Choice

We sign this declaration clearly aware that it reflects the position of a minority. However, this minority is united by an absolute adherence to democratic values, values that are generally recognized and undisputed in the modern civilized world.

In Russia today these values are either under threat or have already been annihilated. We are convinced that this has become the most fundamental political outcome of Vladimir Putin's first presidential term.

In 2000 Putin ran for the presidency promising to rein in criminal activity, to extirpate corruption, to appoint modern managerial staff, to turn Russia into a country with a powerful dynamic economy, and to defeat terrorism.

Four years have passed. The crime level has increased. The scale of corruption has not been reduced. Governmental institutions have been deluged at all levels with the retired officers of the Soviet KGB. Now as before the state of the economy is defined by oil and gas prices.

The principal political achievement of the last four years has been the strengthening of the President's personal authority. In recent years no other goal has been strived for so consistently and effectively.

War and anarchy in Chechnya continue to result in the loss of human life across the country. The second Chechen war has dragged on all these years in order to prop up President Putin's popularity rating.

For the sake of creating an autocracy the presidential regime has reduced the houses of the Russian Duma to a puppet parliament and has turned the Court and Public Prosecutor's Office into a tool for blackmail and political persecution.

The Kremlin has infringed the inviolability of private property, imposed illegal exactions upon businesses, and divided industrialists into "harmful" and "useful" depending on their loyalty and willingness to finance the President's political projects.

The independent press has been smashed for the sake of authoritarian power. Three major national television channels have fallen under the tight control of the federal bureaucracy and political censorship has become common practice. The blatant violation of universal suffrage rights, including the falsification of election data, has become routine.

As a result, politics, business, the arts and an obedient press are set in an atmosphere of hypocrisy and servility toward presidential authority and Vladimir Putin himself.

Under the circumstances the coming presidential reelection campaign will be no more than a technical formality. Moreover, we have every reason to believe that in the next four years of his reign President Putin will continue to strengthen his personal authority, which will result in the utter destruction of every democratic institution in Russia. This cannot be allowed.

We appeal to our compatriots and implore them to realize that we must put up a fierce fight for the 2008 elections. The struggle that lies ahead is not only to win the elections, but to guarantee that they take place; we must assert our right to free choice. And these elections begin today.

For this purpose we have created the “Committee 2008: Free Choice”, to achieve the following vital goals:

- Secure the legal election of the President of Russia in 2008.
- Avoid the extension of President Putin’s time in office, regardless of whether he desires another term or lifetime tenure.
- A new president elected in the 2008 presidential campaign and to bar any foul play with the Constitution that might allow the sitting President to stay in power.
- General, direct, free, and fair elections, not a nomenclatura succession to the throne as occurred in 2000.
- Guarantee that the rights of the minority are defended, whatever the result of the elections, and avoid any threats to election campaigns from this time onwards.

The guarantee of free choice is an indispensable condition for any further democratic processes in Russia. All of Russian society has an interest in the strength of such guarantees, even if today the majority does not appreciate this interest and does not yet value the freedom of choice.

Garry Kasparov
Committee Chairman
Moscow, January 19, 2004

Committee founders:

Michail Berger, Vladimir Bukovsky, Alexander Goltz, Igor Irteniev, Vladimir Kara-Murza, Evgeni Kiselyov, Yulia Latynina, Dmitry Muratov, Boris Nemtsov, Sergei Parkhomenko, Alexander Ryklin, Victor Shenderovich, Irina Yasina

III. Q&A with Committee Chairman Garry Kasparov

1) What made you decide to get into politics?

Politics have always played an important part of my life. When I was young, chess, like everything in Soviet life, was part of the political landscape. Bureaucrats directly affected my fortunes and I realized even as a teen that I had to take an active role in politics to control my own fate. Since then I have participated in many initiatives to bring greater freedom and democracy to Russia.

My current activity with “2008: Free Choice” stems from watching the disintegration of the emerging Russian democracy under the authoritarian rule of Putin and his KGB colleagues. I felt I had an obligation to use my status as a public figure to resist these attacks on our institutions and my countrymen.

I entered politics in the late 80’s and mid-90’s, when I felt my participation could change something during the end of communism and Yeltsin’s reelection, respectively. Now again I feel my involvement can make a difference and that’s the policy I’m sticking to. Not politics for politics’ sake, but to make a difference.

2) What are the main goals of your initiative called "2008: Free Choice"? Is it correct to say that you don't believe the upcoming presidential elections will be fair?

The overriding goal is to make everyone, in Russia and abroad, aware of the extreme danger to democracy represented by the Putin regime. Our specific goals center around making sure the 2008 elections are open and fair. Removing Putin himself is secondary, but is essential for the future of Russian democracy.

The results of this year’s elections are thoroughly predetermined under the current conditions. Putin and those obedient to him have total control over every step of the election process. He’s really stood for public office in his life. He was appointed by Yeltsin in 2000. So Putin has never participated in a real election with debates and a transparent system. In 2000 by 11:00 p.m. on election night, with nearly 40% of votes counted Putin had 47%. Then in a few hours it jumped to 52%. The liberals swallowed it because they believed an authoritarian ruler could better

implement the reforms. It is possible Put could win an open and honest election, but it is certain he won't have to this time.

3) How do you assess President Putin's grip on the Russian media and business communities?

It is strong and getting stronger all the time. Reversing this process is crucial to rebuilding and maintaining the democratic apparatus of Russia. Putin's regime uses a typical carrot and stick method to control these supposedly independent groups. Media outlets and business that obey the unwritten rules are left alone or rewarded. Those who say anything critical or refuse to support Putin are driven out of business, taken over, or jailed.

4) Why is the Chechen issue not an important part of the current campaign?

When there is good news it's in the media and made part of the campaign. When things aren't going well, like now, there is a virtual blackout. Chechnya would not be a good issue for Putin this year so nobody talks about it. Russians are still dying almost every day in Chechnya so Putin can act tough and claim a security crisis that is largely of his own creation.

5) Is it fair to say that the whole Russian political establishment is guilty in regard to the current political situation in the country since they don't really challenge Putin's authoritarian actions?

I think that it is more than fair to say that, with a few exceptions. Putin's hold is so strong that it is very risky for any politician to resist him. We hope that with 2008: Free Choice we can provide support and encouragement for others to speak out and fight for the future of Russian democracy.

6) How much time will you be able to give to 2008: Free Choice personally?

Of course I still have my professional chess and charitable obligations, and 2004 could turn out to be an important year in my chess career. But I am strongly committed to this initiative and will dedicate as much time as needed to promote the organization and our goals.

7) Several prominent Russian businessmen have been jailed on federal charges after resisting various demands or restrictions laid down by the Putin administration. Are you worried about repercussions against yourself or your committee associates?

We can only hope that things have yet to go that far, although every sign indicates that is the direction the country is headed. I don't think anyone is safe from harassment, arrest, or worse in Putin's Russia. We are very much out in the open and if anything is done against 2008: Free Choice or its members it will have to happen out in the open as well.

In Stalin's time there was a physical threat. Opposition was punished with torture, with death. Then in Brezhnev's day the retribution would take the form of economic ruin. Now there aren't such overt threats but there remains an almost genetic fear.

The best illustration of this is how everyone quotes a high approval rating for Putin, but in the same polls when people are asked about his policies all the responses are below 50%. But his approval rating is 80%? There must be a reason for this discrepancy. After ten years of relative freedom people aren't afraid to talk about wrongdoings in the country, but they won't talk against a President who was the head of the secret police.

8) Your activities now are as a spokesman for reform. Might we see you as a candidate yourself at some point?

I still have a few more years of chess in me before pursuing another career! At 40 I may be a little old in the chess world but I'm still quite young for politics.

9) What does reform mean today in what is at least technically a democratic Russia?

Today reform is a bad word in Russia. It was stripped of its meaning by Yeltsin and Putin. They are still talking about it, but as it was before Russia is a bureaucratic state. The only true reform is to revive real democracy, which by its nature is alien to the Soviet-style bureaucracy that we have. Our nomenclatura structure cannot withstand open and free elections. When these bureaucrats feel strong enough they show their true colors, like they are doing now. The democratic process in Russia now is a mockery.

You have quite an election when one candidate decides who can run, who can register, who can oppose him, and what percentage of voters will turn out and who they will vote for.

10) What are your feelings about the West's stance toward Russia today, particularly that of the United States?

In the old Soviet days my countrymen instinctively knew the capitalists were right and the Communists were wrong. In general the West was consistent, with some extremes such as Reagan's "evil empire" remark. There weren't many illusions about the USSR and its intentions.

But today the West, and America in particular, is demonstrating a double standard. Internal criticism of Putin can be rebutted in Russia by pointing out that he is supported by the USA. The global war on terror has translated into political expediency and common goals.

On what basis is Putin invited to the G7 conference while he is abandoning democracy in Russia? We were pleased to hear the recent criticism from Colin Powell, but it is too little, too late. Condoleezza Rice's comments were more to the point: "Punish France, ignore Germany, forgive Russia." It was taken as a green light from the West that Putin could do as he liked and that they would turn a blind eye.

Bush said he looked into Putin's eyes, but this is no substitute for standing up for what America pretends to represent in the world. It doesn't serve anyone to pretend Putin is playing by the rules of the game. As soon as everyone recognizes the direction he is heading the better. You can't build a consistent policy on illusions and assumptions and the West is letting down the Russian people this way.

11) What does the arrest of Mikhail Khodorkovsky, Russia's richest man, in the YUKOS case symbolize in Putin's Russia?

The arrest led to a revealing comment from America's ambassador, Alexander Vershbow, "We hope there will be a fair trial, by Russian legal standards." Then the Russian Minister of Finance, Vice Prime Minister Alexei Kudrin, waved off criticism of the practices of the Attorney General's office in a Financial Times article by saying there were "some irregularities."

For American and Western European ears, we should to point out some of these "irregularities." Searching the offices of lawyers who had visited their clients in jail. Searching the offices of members of Parliament. Refusing to allow members of Parliament to visit Khodorkovsky in

prison, which is a violation of Russian law. No court in the West would accept this case for trial because the evidence was obtained by illegal means, but these are “Russian legal standards.”

The YUKOS case is a very important one, but it’s not the only one. There are many smaller examples. The local mayors and the governors are fighting to keep down local oligarchs and business leaders like Khodorkovsky on a smaller level.

All the activity of the Attorney General’s office has been dealing exclusively with Khodorkovsky for the past eight months, maybe more. Khodorkovsky always claimed YUKOS’ dealings were transparent, and apparently he was correct. They have found no evidence of any wrongdoing since 2000. All the evidence is based on activities in the 1990’s. If they had any recent evidence they would use it in the court papers.

12) Then why is Khodorkovsky in prison? Why do you believe he has been targeted by the Kremlin?

The lack of recent evidence is proof that Khodorkovsky is in prison not because he was corrupt but because he wanted to change the rules of the game. He publicly declared he would support opposition candidates while other oligarchs brought briefcases of cash to support Putin’s political causes. Khodorkovsky also wanted to support charitable activities not approved by the Kremlin.

Russian State Humanitarian University is very big in Moscow. They signed a contract with YUKOS to receive one hundred million dollars in educational grants. After Khodorkovsky was arrested there was suddenly new leadership in RSHU, and the new Rector refused to take the money from YUKOS. Khodorkovsky wasn’t buying a soccer club in England, he was supporting Russia. This sort of thing made him a legitimate threat to Putin, legitimate in all ways. He wasn’t under Putin’s control and he was not corrupt. More specifically, the attack on YUKOS is aimed to redistribute property in favor of the oil company owned by Putin’s cronies.

13) Why do you consider the Khodorkovsky arrest such a threat to democracy in Russia?

It represents how Putin’s regime establishes ties between property rights and power. Unless you are in power you can’t control your property. This is a crisis. The elections are doomed to be rigged by those in power. If they lose political authority they can lose their assets.

The West must recognize the danger, that if the bureaucrats are benefiting from their positions and are persecuting others, how can any of them afford to retire from activity or be replaced? They must stay in power or they could lose everything or even be jailed. This forces them to do anything they can to prevent the real democracy that could remove them and leave them vulnerable.